

## UNITED STATES DISTRICT COURT

for the

Northern District of California

United States of America  
v.

Case No. 4:23-mj-71362-MAG

QUENTEL REED

*Defendant(s)***FILED**

Sep 06 2023

Mark B. Busby  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 29, 2022 in the county of Alameda in the  
Northern District of California, the defendant(s) violated:*Code Section*

18 U.S.C. § 922(g)(1)

*Offense Description*

Felon in Possession of a Firearm and Ammunition

Maximum Penalties: 15 years imprisonment, 3 years supervised release,  
\$250,000 fine, \$100 special assessment, forfeiture

This criminal complaint is based on these facts:

See attached affidavit of Special Agent Christopher Bailey.

☒ Continued on the attached sheet.Approved as to form /s/ Cynthia Johnson  
AUSA Cynthia Johnson/s/ Christopher Bailey*Complainant's signature*

Christopher Bailey, ATF Special Agent

*Printed name and title*Sworn to before me over the telephone and signed by me pursuant to Fed.R.Crim.P 4.1 and 4(d)Date: September 6, 2023City and state: Oakland, CA  
*Judge's signature*

Hon. Kandis A. Westmore, U.S. Magistrate Judge

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR COMPLAINT**

I, Christopher Bailey, Special Agent (“SA”) with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), being duly sworn, state:

**INTRODUCTION**

1. I make this affidavit in support of an application under Rule 4 of the Federal Rules of Criminal Procedure for a criminal complaint and arrest warrant for Quentel Reed (hereafter, “REED”) for being a felon in possession of a firearm and ammunition, in violation of Title 18, United States Code, Section 922(g)(1), on or about August 29, 2022, in the Northern District of California.

**SOURCES OF INFORMATION**

2. This affidavit is submitted for the limited purpose of securing a criminal complaint and arrest warrant. I have not included every fact known to me concerning this investigation. Instead, I have set forth only the facts necessary to establish probable cause that violations of the federal law identified above have occurred.

3. I have based my statements in this affidavit on my training and experience; personal knowledge of the facts and circumstances obtained through my participation in this investigation; information provided by law enforcement officers, including Officers from the Oakland Police Department (OPD) and Oakland Housing Authority Police Department (OHAPD); information provided by reports prepared by other law enforcement officers; and information provided by records and databases, including regarding REED’s criminal history. Where I refer to conversations and events, I often refer to them in substance and in relevant part rather than in their entirety or verbatim, unless otherwise noted. This affidavit also reflects my current understanding of facts relating to this investigation, but my understanding may change in the future as the investigation proceeds.

**AFFIANT BACKGROUND**

4. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) since February 2009. I am presently assigned to the ATF

Oakland Field Office in Oakland, California. I am a law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7). I am a graduate of the Criminal Investigator Training Program at the Federal Law Enforcement Training Center and Special Agent Basic Training at the ATF National Academy. The training that I received at the academy included formalized instruction in, among other things: firearms, drugs, and violent crime-related investigations, familiarization with United States firearms laws, financial investigations and money laundering, identification and seizure of drug and firearms tracking related assets, physical and electronic surveillance, weapon qualification and tactics, operation and use of confidential sources, and undercover operations.

5. Prior to working as an ATF Special Agent, I worked as an industry operations investigator for the ATF and investigated federal firearm and explosive licensees, including manufacturers, importers, and dealers of firearms, for compliance with the Gun Control Act and the Code of Federal Regulations.

6. As an ATF Special Agent, I have conducted and participated in both state and Federal investigations involving the illegal possession and trafficking of firearms. I have investigated and assisted in the prosecution of criminal street gangs engaged in illegal narcotics and firearms trafficking. During these investigations, I have participated in and/or served as the primary case agent in cases involving various types of investigative techniques, including the use of electronic surveillance, assistance from undercover agents and informants, and the controlled purchases of firearms and narcotics from suspects. I have also participated in physical surveillance operations and the execution of state and federal arrest warrants and search warrants, resulting in state and federal prosecution of defendants.

#### **APPLICABLE STATUTES**

7. Title 18, United States Code, Section 922(g)(1) provides: “It shall be unlawful for any person . . . who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year . . . to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition

which has been shipped or transported in interstate or foreign commerce.”

8. The elements of the target offense are as follows: (1) defendant knowingly possessed a firearm and ammunition; (2) the firearm and ammunition had been shipped or transported from one state to another, or between a foreign nation and the United States and/or otherwise affected interstate commerce; (3) at the time defendant possessed the firearm and ammunition, defendant had been convicted of a crime punishable by imprisonment for a term exceeding one year; and (4) at the time defendant possessed the firearm and ammunition, defendant knew that he/she had been convicted of a crime punishable by imprisonment for a term exceeding one year.

#### **FACTS SUPPORTING PROBABLE CAUSE**

##### **A. Shooting on July 20, 2022, in Oakland**

9. On or about July 20, 2022 at approximately 9:30 pm, OPD personnel responded to a shooting near the intersection of 24<sup>th</sup> Street and Chestnut Street in Oakland, California.

10. Officers reviewed surveillance video of the area and observed two vehicles arrive at the location when an individual seated on the southwest corner of the intersection, later identified as REED, stood up and produced what appeared to be a firearm held down at his side. The passenger of one of the vehicles produced a firearm and opened fire towards REED. REED is then returned fire. There was an exchange of gunfire between multiple shooters.

11. Law enforcement recovered numerous fired cartridge cases (FCCs) from the scene, including three (3) Winchester .45 Auto caliber FCCs which were recovered from the area where REED was shooting.

12. OPD investigators familiar with REED identified him by reviewing surveillance video of the July 20, 2022 incident. Further review of the surveillance video showed that REED arrived on scene driving a silver Audi SUV shortly before the shooting. Subsequent Department of Motor Vehicle (DMV) queries showed that an identical vehicle was registered to REED at the time of the shooting.

13. OPD investigators obtained call detail records with cell site location data for

REED's cellular phone pursuant to a state search warrant. Analysis of the records confirmed that REED was present in the 24<sup>th</sup> Street/Chestnut Street area at the time of the shooting.

B. Arrest of REED on August 29, 2022, in Oakland

14. On or about August 11, 2022, OPD personnel observed REED driving a silver Dodge Ram truck bearing California license plate 45374F2.<sup>1</sup>

15. Based on the July 20, 2022 shooting, law enforcement sought and obtained an arrest warrant for REED and the Dodge Ram truck officers previously observed him driving on August 11, 2022.

16. On August 29, 2022, at approximately 11:30 am, OPD personnel observed REED arrive at K&D Market located at 1100 24<sup>th</sup> Street, Oakland, California driving the Dodge Ram truck. This is the same area as the shooting that occurred on July 20, 2022. REED exited his vehicle and entered the store. Upon exiting the store and returning to his vehicle, REED was taken into custody without incident and searched with no contraband found. Officers cleared the vehicle for any additional persons, finding none. Officers did however observe a firearm on the rear floorboard of the vehicle.

17. During a search of the Dodge Ram, OPD personnel recovered an Anderson Manufacturing AM-15 5.56mm/.223 caliber rifle bearing serial number 20238284 loaded with fifty-four (54) rounds of Lake City 5.56mm caliber ammunition and one (1) round of Poongsan Metal Manufacturing Company 5.56mm caliber ammunition inside a 60-round magazine. Officers also recovered a high capacity .40 caliber magazine loaded with twenty-seven (27) rounds of Federal .40 S&W caliber ammunition. Additionally, officers recovered suspected cocaine base, marijuana, digital scales, and plastic baggies indicative of drug sales.

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<sup>1</sup> Vehicle was not registered to REED or any address affiliated with REED.



18. Officers noted that the location where the arrest and recovery of firearms/ammunition occurred was within 1,000 feet of school zones for both McClymonds High School located at 2607 Myrtle Street and Envision Academy located at 2501 Chestnut Street.

19. During a post arrest interview with OPD personnel, REED was advised of his Miranda rights. Following a waiver, REED identified himself as the individual on foot in a still photograph from surveillance video during the July 20, 2022, shooting.

C. Shooting on May 20, 2023, in Oakland

20. On May 20, 2023, at approximately 9:30 pm, officers responded to another shooting at 24<sup>th</sup> Street and Chestnut Street, Oakland, California. This is the same area of the July 20, 2022 shooting and REED's previous arrest on August 29, 2022.

21. Officers obtained surveillance video of the intersection and observed a vehicle drive by and fire multiple rounds towards three males standing on the corner. One of these males, identified from surveillance video as REED, then returned fire towards the vehicle.





**INTERSTATE NEXUS OF FIREARM AND AMMUNITION**

22. I examined the firearm and ammunition recovered on August 29, 2022, namely the Anderson Manufacturing AM-15 5.56mm/.223 caliber rifle, bearing serial number 20238284, fifty-four rounds of Lake City 5.56mm caliber ammunition and one round of Poongsan Metal Manufacturing Co. 5.56mm caliber ammunition. Based on my training and experience, I know that the firearm and ammunition recovered from REED's vehicle on August 29, 2022, were not

manufactured in the state of California. For this reason, the firearm and ammunition must have traveled in interstate and/or foreign commerce prior to REED's possession within the Northern District of California.

### **REED'S CRIMINAL HISTORY**

23. Prior to August 29, 2022, REED was convicted of multiple felony convictions punishable by imprisonment for a term exceeding one year. For several of these convictions, REED received an actual sentence of greater than one year in prison.

24. On or about March 7, 2013, REED was convicted in the Northern District of California of violation of 18 U.S.C. 924(c), Possession and/or Use of a Firearm in Furtherance of a Violent Crime or Drug Trafficking Crime. REED received a sentence of 180 months in federal prison for this offense and is currently on supervised release.

25. On or about January 11, 2006, REED was convicted in Alameda County for violation of California Health & Safety Code 11351.5, Possession of Cocaine Base for Sale. REED received a sentence of 3 years in prison for this offense.

26. On or about September 1, 2004, REED was convicted in Alameda County for violation of California Health & Safety Code 11351.5, Possession of Cocaine Base for Sale. REED received a sentence of 3 years in prison for this offense.

27. On or about February 13, 2004, REED was convicted in Alameda County for violation of California Penal Code 12021(A)(1), Felon in Possession of a Firearm. REED received a sentence of 16 months in prison for this offense.

28. Considering REED was sentenced to a term of imprisonment exceeding one year for multiple convictions, I believe that REED knew he had been convicted of a crime punishable by imprisonment for a term exceeding one year at the time that he possessed the firearm and ammunition on August 29, 2022.

### **CONCLUSION**

20. On the basis of my training and experience, my participation in this investigation, and the information summarized above, there is probable cause to believe that on



August 29, 2022, in the Northern District of California, REED committed the crime of being a felon in possession of a firearm and ammunition, in violation of Title 18, United States Code, Section 922(g)(1).

/s/ Christopher Bailey  
Christopher Bailey  
Special Agent,  
Bureau of Alcohol, Tobacco, Firearms and  
Explosives

Sworn to before me over the telephone and signed by me pursuant to Fed.R.Crim.P. 4.1 and 4(d) on this 6th day of September 2023. This application and warrant are to be filed under seal.

Kandis Westmore  
HONORABLE KANDIS A. WESTMORE  
United States Magistrate Judge